

REMARKS

In the Office Action mailed July 13, 2005, claims 1-12 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 5,801,834 issued to Danielson et al. (hereinafter Danielson), claim 13 was objected to as being dependent upon a rejected base claim, and claims 14-20 were allowed.

In response to the Office Action, Applicant has amended claim 13 to independent form including all prior limitations of independent claim 7 from which it previously directly depended. Additionally, Applicant has amended independent claims 1 and 7 by adding limitations thereto. Still further, Applicant submits the ensuing remarks in support of the allowability of claims 1-12, as amended.

Claims 1-12 Are Not Anticipated By Danielson

Independent claim 1 requires, among other things, the mount to rigidly secure the reflective target to the subject article. Similarly, claim 7 requires a step of rigidly attaching the reflective target of the laser target device to the subject article. The reflective targets disclosed in Danielson are each suspended by a "hanging rod" that is pivotally connected to a mount via a screw and screw receptacle or by a ball and socket. This pivotal connection of the reflective targets to the mounts disclosed in Danielson ensures the reflective targets hang directly beneath the pivot connection. Thus, when performing the methods disclosed in Danielson, it would be problematic if the reflective targets were rigidly connected to the subject article because there would be a possibility, and a significant likelihood, that the reflective targets would not be positioned directly beneath their respective pivot connections. Conversely, having the

reflective targets in claims 1 and 7 of the present application able to freely pivot with respect to the subject article would make the position of the reflective targets dependent upon the orientation of the subject article with respect to the horizontal plane. Unlike the subject articles of Danielson, which are automobiles resting on horizontally oriented surfaces, the subject articles of the present invention might not have any reference orientation that can be easily aligned with the horizontal plane. Thus, the rigid connection required by claims 1 and 7 of the present application is advantageous over the pivot connections disclosed in Danielson.

Because Danielson fails to disclose or suggest any mount that rigidly secures a reflective target to a subject article and fails to disclose any step of rigidly attaching a reflective target of a laser target device to a subject article, Danielson does not anticipate either of claims 1 and 7 of the present application. As such, the anticipation rejections of claims 1 and 7 should be withdrawn. Likewise, it follows that claims 2-6 and 8-12, being dependent upon claims 1 and 7 respectively, are also anticipated by Danielson. As such, the rejections of claims 2-6 and 8-12 should also be withdrawn.

Claim 2 is not anticipated by Danielson for the additional reason that claim 2 requires first and second surfaces of the mount to face each other and to be engaged with a portion of the subject article that is positioned between the first and second surfaces. Danielson discloses a laser target device and a mount, wherein the mount consists of a "clip" inserted into a "manufacturer-provided reference hole." Danielson, col. 7: 55-67. Thus, the surfaces of the subject article of Danielson that are engaged by the clip face each other and therefore can not be engaged with first and second surfaces of any mount that also face each other. For these additional reasons,

Danielson does not disclose or suggest each and every limitation of claim 2 and therefore further fails to anticipate claim 2. Likewise, because claim 3 is dependent upon claim 2, it follows that claim 3 is not anticipated by Danielson for these additional reasons.

Still further, claim 3 is not anticipated by Danielson for the additional reason that claim 3 requires the mount to be engaged with the opposite side surfaces of a first wall portion of the subject article and to be engaged with at least one of opposite side surfaces of a second wall portion of the subject article that intersects the first wall. Danielson does not disclose any intersecting walls of any subject article and therefore can not possibly disclose a mount engaged therewith as is required by claim 3. As such Danielson further fails to anticipate claim 3.

Claim 6 is further not anticipated by Danielson for the additional reason that claim 6 requires a stem that connects the reflective target to the mount to be press-fit into the recessed opening of the mount so as to secure the mount to the stem. Danielson discloses a laser target device having a stem and a clip wherein the stem or “hanger” of the laser target device is engaged with the clip via a screw or a ball receptor. See Danielson, col. 7: 55-67; col. 14:40-55; and figs. 7-9, and 23-25. Such a connection is not a press-fit. As such, Danielson fails to disclose a stem engaged with a mount by a press-fit and therefore Danielson further fails to anticipate claim 6.

Claim 8 is further not anticipated by Danielson for the additional reason that claim 8 requires a biasing force that acts to force the first and second portions of the mount into engagement with the subject article by acting to force the first portion of the mount toward the second portion of the mount. The only biasing force disclosed in Danielson

acts to force first and second portions of the mount or clip apart from each other. This is opposite to what is required by claim 8. As such, Danielson fails further fails to anticipate claim 8. Likewise, because claim 9 is dependent upon claim 8, it follows that claim 9 is not anticipated by Danielson for these additional reasons.

Still further, claim 9 is not anticipated by Danielson for the additional reason that claim 9 requires engaging the mount with the opposite side surfaces of a first wall portion of the subject article and at least one of opposite side surfaces of a second wall portion of the subject article that intersects the first wall. As mentioned above is reference to claim 3, Danielson does not disclose any intersecting walls of any subject article and therefore can not possibly disclose engaging a mount therewith as is required by claim 9. As such Danielson further fails to anticipate claim 9.

Claim 12 is further not anticipated by Danielson for the additional reason that claim 12 requires attaching the stem to the mount via a press-fit connection. As mentioned above in reference to claim 6, Danielson discloses a laser target device having a stem and a clip wherein the stem or "hanger" of the laser target device is engaged with the clip via a screw or a ball receptor but fails to disclose a stem engaged with a mount by a press-fit. For these additional reasons, Danielson further fails to anticipate claim 12.

Conclusion

In view of the above, Applicant submits that this application is now in condition for allowance and notification of such is respectfully requested.

Respectfully submitted,
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